



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/925,586 | 08/09/2001 | Amado Nassiff | BOC9-2000-0032(178) | 2981 |
| 40987 7590 01/25/2008 AKERMAN SENTERFITT P. O. BOX 3188 WEST PALM BEACH, FL 33402-3188 | | | | |
| EXAMINER | | | | |
| BROADHEAD, BRIAN J | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 3664 | | | | |
| MAIL DATE | | DELIVERY MODE | | |
| 01/25/2008 | | PAPER | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/925,586

Applicant(s)

NASSIFF ET AL.

Examiner

Brian J. Broadhead

Art Unit

3664

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19 and 26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19 and 26 is/are rejected.
- 7) ☒ Claim(s) 19 and 26 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/02)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claims 19 and 26 are objected to because of the following informalities: Both claims recite the limitation "automatically transferring said navigation information to said in-vehicle navigation device in." The "in" at the end of the limitation appears unnecessary and it has been assumed was meant to be deleted. Appropriate correction is required.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 19 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Palomo et al., 6405126, in view of Rennard et al., 6405123, and in further view of Ashby et al., 6173277, and in further view of King et al., 6721288.

3. Palomo et al. disclose a computing device remote from a vehicle on lines 5-7, on column 6; identifying navigation information for at least one destination (102) in response to a user input specifying a trip itinerary, the at least one destination corresponding to at least one of a lodging, dining establishment, predetermined sightseeing attraction, road hazard, and detour, each identified within said web site in response to and based on the specified trip itinerary on lines 20-30, on column 8, and

figure 5; automatically determining navigation information for the destination, wherein at least a portion of the navigation information includes geographic coordinates for the destination as well as trip information indicating locations of and information pertaining to other dining establishments, other predetermined sightseeing attractions, other lodging accommodations, road hazards, and detours corresponding to the user specified trip itinerary on lines on lines 18-29, on column 6, lines 20-30, on column 8, lines 42-48, on column 10 and figure 5 (detours and road hazards would be included inherently in the map data used to calculate the route); storing the navigation information in at least a first memory remote from the vehicle on lines 30-35, on column 6; transferring the navigation information from the first memory to a navigation device in the vehicle on lines 37-38, on column 6.

4. Palomo et al. do not disclose the computing device accesses a publicly accessible web site; determining whether a data format of said navigation information conforms to data requirements of said in-vehicle navigation device prior to transferring, and converting the data format to an alternate data format prior to transferring said navigation information if said data format does not conform to data requirements of the in-vehicle navigation device. Rennard et al. teach the identifying step is performed on a web site on lines 4-34, on column 11. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the web site of Rennard et al. in the invention of Palomo et al. because such modification would provide an improved operating environment that allows a user to input complex information through

alternative devices ahead of time as stated on lines 15-17, on column 11, of Rennard et al.

5. Palomo et al. and Rennard et al. do not disclose determining whether a data format of said navigation information conforms to data requirements of said in-vehicle navigation device prior to transferring, and converting the data format to an alternate data format prior to transferring said navigation information if said data format does not conform to data requirements of the in-vehicle navigation device. Ashby et al. teach determining whether a data format of said navigation information conforms to data requirements of said in-vehicle navigation device prior to transferring, and converting the data format to an alternate data format prior to transferring said navigation information if said data format does not conform to data requirements of the in-vehicle navigation device in lines 30-60, on column 3. It would have been obvious to one of ordinary skill in the art at the time the invention was made to check the format and convert it if necessary because it is instantly obvious. The system wouldn't work and it would be immediately obvious.

6. Palomo et al., Rennard et al., and Ashby et al. disclose the limitations as set forth above. They do not disclose establishing a queue for uploading the navigation information to the navigation device, communicatively linking the navigation device to a network containing the queue; automatically detecting the linking step, responsive to the detecting step, automatically placing the navigation information into the navigation device in a manner specified within the queue. King et al. teach establishing a queue for uploading the navigation information to the navigation device, communicatively

linking the navigation device to a network containing the queue, automatically detecting the linking step; responsive to the detecting step, automatically placing the navigation information into the navigation device in a manner specified within the queue on lines 8-20, on column 7. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the queue of King et al. in the invention of Palomo et al., Rennard et al., and Ashby et al. because such modification would compensate for the unavailability of wireless networks.

Response to Arguments

7. Applicant's arguments with respect to claims 19 and 26 have been considered but are moot in view of the new ground(s) of rejection. The amendment basically changed the method of information transfer to the in-vehicle device. These limitations were presented in a similar form in past prosecution and the King et al. reference has been applied again.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

Art Unit: 3664

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Broadhead whose telephone number is 571-272-6957. The examiner can normally be reached on Tuesday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on 571-272-6956. The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300 for regular communications and (571) 273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-3600.

/Brian J. Broadhead/
Examiner, Art Unit 3664

/Khoi H Tran/
Supervisory Patent Examiner, Art Unit 3664